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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन
के रूप में रखा जा सके।

A separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bill was introduced in Lok Sabha on 3rd November, 1988:—

BILL No. 106 OF 1988

A Bill further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.

BE it enacted by Parliament in the Thirty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1988.

(2) It shall be deemed to have come into force on the 1st day of April, 1989.

30 of 1954 2. In section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act), for the words "one thousand rupees" and "seventy-five Rupees", the words "one thousand and five hundred rupees" and "one hundred and fifty rupees" shall respectively be substituted.

3. In sub-section (1) of section 4 of the principal Act, in clause (c) after sub-clause (ii), the following proviso shall be inserted, namely:—

"Provided that where the spouse, if any, of a member performs such journey or part thereof by road unaccompanied by such member, the road mileage prescribed under this sub-clause shall be allowed to him for such journey or part thereof."

Short
title
and com-
mence-
ment.

Amend-
ment of
section 3.

Amend-
ment of
section 4.

Amend-
ment of
section 6

4. In section 6 of the principal Act, for the words "first class", wherever they occur, the words "air-conditioned two-tier" shall be substituted.

Amend-
ment of
section
6A.

5. In section 6A of the principal Act,—

(a) in sub-section (1), for the opening paragraph, the following shall be substituted, namely:—

"Without prejudice to the provisions of section 6, every member representing the Union territory of the Andaman and Nicobar Islands or the Union territory of Lakshadweep shall—

(a) be provided with one free non-transferable pass which shall entitle him to travel at any time by the highest class by steamer to and from any part of his constituency and any other part of his constituency or the nearest part in the main land of India; and

(b) be entitled to an amount equal to the fare by air, from his usual place of residence to the nearest airport in the mainland of India";

(b) in sub-section (6),—

(i) in the opening portion, for the words "a free steamer pass issued to a member", the words "the facilities provided to a member" shall be substituted;

(ii) in clause (i),—

(A) for the words "lowest class", the words "highest class" shall be substituted;

(B) for the words "and", occurring at the end, the word "or" shall be substituted;

(iii) in clause (ii), for the words "once during every session", the words "at any time between the Island and the main land of India; and" shall be substituted;

(iv) after clause (ii), the following clause shall be inserted, namely:—

(iii) to an amount equal to the fare by air either for the spouse, if any, of the member or for one person to accompany the member from the usual place of residence in the Island to the nearest airport of the mainland of India."

Insertion
of new
section
6AA.

6. After section 6A of the principal Act, the following section shall be inserted, namely:—

Special
facility
to mem-
bers from
Ladakh.

"6AA. (1) Without prejudice to the provisions of section 6, every member who has his ordinary place of residence in the Ladakh area of the State of Jammu and Kashmir shall be entitled to an amount equal to the fare by air for each single journey by air performed by him from any airport in Ladakh to the airport in Delhi and back at any time.

(2) In addition to the air travel provided to a member under sub-section (1), he shall also be entitled to an amount equal to the fare by air for each single journey by air performed by the spouse, if any, of the member or one person to accompany such member, from any airport in Lañakh area to the airport in Delhi and back at any time."

Amend-
ment of
section
6B.

7. In section 6B of the principal Act,—

(a) in clause (i), for the words "and first class", the words "and air-conditioned two-tier" shall be substituted;

(b) in clause (ii), for the words "first class", the words "air-conditioned two-tier" shall be substituted;

(c) in clause (iii),—

(i) in the opening paragraph,—

(1) for the words "first class", the words "air-conditioned two-tier" shall be substituted,

(2) for the portion beginning with the words "and if such journey" and ending with the words "or part thereof", the following shall be substituted, namely:—

"and if such journey or any part thereof is performed by air from any place other than the usual place of residence of the member, or from any other place to Delhi and back, to an amount equal to the fare by air for such journey or part thereof:

Provided that where such journey or part thereof by such spouse is performed by air from any other place, the expenditure on such journey or part thereof shall not exceed the amount payable if the journey had been performed from the usual place of residence of the member to Delhi and back:";

(ii) for the proviso, the following proviso shall be substituted, namely:—

"Provided further that where a member travels by rail in first class air-conditioned and no person accompanies that member in that journey in air-conditioned two-tier by virtue of the free air-conditioned two-tier railways pass referred to in clause (ii), then in determining the amount payable by the member under clause (i), the amount of air-conditioned two-tier fare for such journey shall be adjusted against the difference referred to in that clause; so, however, that the member shall not be entitled to claim the balance of such air-conditioned two-tier fare left after such adjustment."

8. In section 8 of the principal Act,—

(a) after the words "electricity facilities", the words "electricity and office expense allowance" shall be inserted;

(b) after the words "such facilities", the words "or allowance" shall be inserted.

Amend-
ment of
section 8.

Amend-
ment of
section
8A

9. In section 8A of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) With effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1988, there shall be paid a pension of five hundred rupees per mensem to the spouse, if any, or dependant of any member who dies during his term of office as such member, for a period of five years from the date of his death.”.

Amend-
ment of
section
8B.

10. In section 8B of the principal Act, for the words “twenty thousand rupees”, the words “fifty thousand rupees” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Joint Committee on Salary and Allowances of M.Ps. has made a number of recommendations for increasing the allowances and facilities of Members of Parliament. It is proposed to implement some of the recommendations as accepted by the Government with regard to:—

- (i) increase in the salary and daily allowance;
- (ii) rail travel of M.Ps., their companions and spouses in AC II tier;
- (iii) air travel facilities to M.Ps. from the Andaman and Nicobar Islands and Lakshadweep and their spouses or companion;
- (iv) travel by the highest class by steamer (without diet) by spouse or companion of M.Ps. from the Andaman and Nicobar Islands and Lakshadweep;
- (v) air travel by spouse of M.Ps. from a place other than the usual place of residence of the M.P. to Delhi and *vice versa*;
- (vi) air journey accompanied either by spouse or companion between Ladakh and Delhi;
- (vii) provision of an office expense allowance;
- (viii) payment of pension to widow/dependant of a Member dying in harness;
- (ix) road mileage allowance for journeys of spouses of M.Ps. when they do not accompany the M.Ps.

2. The Bill seeks to achieve the above objectives.

New Delhi;

H. K. L. BHAGAT.

The 3rd September, 1986.

FINANCIAL MEMORANDUM

The Bill seeks to amend various provisions of the Act to provide for (i) increase in the Salary from Rs. 1000 to Rs. 1500 per month; (ii) increase in the rate of Daily Allowance from Rs. 75 per diem to Rs. 150 per diem; (iii) Rail travel of M.Ps., their companions and spouses in AC II Tier; (iv) Air travel facilities to Members of Parliament from islands and their spouse or companion; (v) Travel by the highest class by steamer (without diet) by spouse or companion of Members of Parliament from islands; (vi) Air journey accompanied either by spouse or companion between Ladakh and Delhi; (vii) Payment of an Office Expense Allowance, (viii) Payment of pension to widow/dependant of a Member dying in harness; and (ix) Payment of Road Mileage for journeys of spouses of Members of Parliament when they do not accompany the Members of Parliament.

2. The above provisions would involve a recurring expenditure from the Consolidated Fund of India to the tune of Rs. 4 crores per annum approximately.

3. The provisions of the Bill will not involve any other expenditure either recurring or non-recurring.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill seeks to amend section 8 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 to provide for payment of an office expense allowance by rules made by the Joint Committee under section 9 of the Act. Rules under section 9 are made in consultation of the Central Government. The delegation of legislative power is, therefore, of a normal character.

SUBHASH C. KASHYAP,
Secretary-General.